

## ARTICLE 29      NON-DISCRIMINATION

The City and the union agree that they, and each of them, shall not discriminate against any employees because of membership or lack of membership in the union or because of any authorized activity on behalf of the union. Further, any claims of discrimination made by a represented employee as per this Article 29, may be appealed through the grievance procedure outlined in this agreement.

## ARTICLE 30      EMPLOYEE ASSISTANCE REFERRAL

- 30.1      Performance problems are sometimes related to personal or work-related problems, which may be improved through the Employee Assistance Program (EAP). There are four ways an employee may be referred to the EAP. The employee may self refer (self referral), a supervisor may informally remind the employee of the EAP services (informal supervisory referral), a supervisor may formally discuss the issue with the employee and a management consultant at the EAP (formal supervisory referral), or the supervisor may require the employee to attend one initial screening session with the EAP (mandatory referral).
- 30.2      If a supervisor believes that an employee's work performance is impaired and can be improved through the EAP and has declined the formal supervisory referral, he or she, with department director approval, may require the employee to attend one initial screening session with the EAP.
- 30.3      The employee shall receive paid release time to attend the initial appointment and must sign a Release of Information form that authorizes the EAP provider to release information limited to dates of service and attendance. Failure to attend or to provide proof of such attendance through the Release of Information form may subject the employee to disciplinary action. Actual results of the initial screening shall be subject to normal confidentiality provisions, unless the employee voluntarily signs a release of information form that authorizes release of information beyond dates of service and attendance. The employee's decision to attend or not attend follow-up sessions shall be voluntary. Follow-up sessions shall be on the employee's own time. This may include the approved use of sick leave, vacation, comp-time, or personal leave.
- 30.4      Nothing in this article shall preclude an employee voluntarily agreeing to different conditions as part of a disciplinary settlement agreement.

## ARTICLE 31      ADVANCE NOTICE

The City may adopt, change or modify work rules. Whenever the City changes work rules or issues new work rules, the Union will be given at least five (5) days prior notice, absent emergency, before the effective date, in order that the Union may discuss said rules with the City before they become effective if the Union so requests.